

U.S. Department of Justice  
United States Marshals Service

Case 3:08-cv-00672-JAH-LSP

Document 6

Filed 08/22/2008

Page 1 of 3

PROCESS RECEIPT AND RETURN

JDIS ✓

PLAINTIFF

UNITED STATES OF AMERICA

COURT CASE NUMBER

08cv0672-JAH(LSP)

DEFENDANT ONE RESIDENTIAL PROPERTY LOCATED AT 2585 RAINBOW VALLEY  
BOULEVARD, FALLBROOK, CALIFORNIA

TYPE OF PROCESS

PUBLICATION

SERVE  
AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

DRUG ENFORCEMENT ADMINISTRATION

ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)

4560 VIEWRIDGE AVENUE, SAN DIEGO, CALIFORNIA 92123-1637

FILED  
2008 AUG 22 AM 11:05  
CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

2008 JUN 18 A 8:55  
RECEIVED  
U.S. MARSHAL  
SOUTHERN DISTRICT  
OF CALIFORNIA

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:

LEAH R. BUSSELL, Ass't United States Attorney  
Office of the United States Attorney  
880 Front Street, Room 6293  
San Diego, CA 92101-8893

Number of process to be served  
with this Form - 285

Number of parties to be served  
in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

DEA Case No. RV-07-0021; CATS ID 08-DEA-498804

Attached are copies of the Complaint for Forfeiture, Ad order, and Notice of Complaint. Please publish the Notice in a newspaper of general circulation for three (3) consecutive weeks and advise this office of the dates notice is published by return receipt. Please also **post notice of the complaint on the defendant property.**

Signature of Attorney or other Originator requesting service on behalf of:

*Leah R. Bussell*

LEAH R. BUSSELL [AUSA]

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

(619) 557-7366

DATE

6/10/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. <u>1</u>	District of Origin No. <u>98</u>	District to Serve No. <u>98</u>	Signature of Authorized USMS Deputy or Clerk <i>C. Banters</i>	Date <u>6/18/08</u>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above). <u>MICHAEL TOURNEY RECEPTION</u>				<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode	
Address (complete only if different than shown above)				Date of Service <u>07-07-2008</u>	Time <u>306</u> <u>pm</u>
				Signature of U.S. Marshal or Deputy <i>Jose Olivarez</i>	
Service Fee  \$45	Total Mileage Charges (including endeavors)  \$11.62	Forwarding Fee	Total Charges  \$56.62	Advance Deposits	Amount Owed to US Marshal or  Amount or Refund

REMARKS:

Published in San Diego Commerce 7/15, 7/22 & 7/29/08; cost \$152.73.

PRIOR EDITIONS MAY  
BE USED

SEND ORIGINAL + 2 COPIES to USMS.

FORM USM 285 (Rev. 12/15/80)

1. CLERK OF COURT 2. USMS Record 3. Notice of Service 4. Billing Statement 5. Acknowledgment of Receipt

RECEIVED  
U.S. MARSHAL  
SOUTHERN DISTRICT OF  
CALIFORNIA

2008 JUN 18 A 8: 56

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE RESIDENTIAL PROPERTY  
LOCATED AT 2585 RAINBOW  
VALLEY BLVD,  
FALLBROOK, CALIFORNIA,  
AND ALL IMPROVEMENTS  
AND APPURTENANCES  
AFFIXED THERETO,

Defendant.

Case **08 CV 0672 JAH LSP**

NOTICE OF COMPLAINT FOR  
FORFEITURE AGAINST  
REAL PROPERTY

Pursuant to Supplemental Rule G(5), on 27 JUNE 2008, I posted a Notice of  
Complaint on and for the following described property:

ONE RESIDENTIAL PROPERTY LOCATED AT 2585 RAINBOW VALLEY  
BLVD, FALLBROOK, CALIFORNIA, AND ALL IMPROVEMENTS AND  
APPURTENANCES AFFIXED THERETO,

for the causes set forth in the complaint, to wit: violation of Title 28, United States Code, Sections  
1345 and 1355, and Title 21, United States Code, Section 881(a)(7), now pending in the  
United States District Court for the Southern District of California.

All persons asserting an interest in or claim against the defendant real property and who  
have received direct notice of the forfeiture action must file a verified claim with the Clerk of this

1 Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset  
 2 Forfeiture Claims, thirty-five **(35) days** after the notice is sent; or if notice was published but direct  
 3 notice was not sent to the claimant or the claimant's attorney, a claim must be filed no later than  
 4 thirty **(30) days** after final publication of newspaper notice or legal notice or no later than sixty  
 5 (60) days after the first day of publication on an official internet government forfeiture site; or  
 6 within the time that the Court allows, provided any request for an extension of time from the Court  
 7 is made prior to the expiration of time which the person must file such verified claim. In addition,  
 8 any person having filed such a claim shall also serve and file an answer to the complaint or a  
 9 motion under Rule 12 of the Federal Rules of Civil Procedure within twenty **(20) days** after filing  
 10 the claim, and any person having timely filed such claim.

11 Supplemental Rule G(5) provides in pertinent part: "The claim must: (A) identify the  
 12 specific property claimed; (B) identify the claimant and state the claimant's interest in the property;  
 13 (C) be signed by the claimant under penalty of perjury; and (D) be served on the government  
 14 attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).

15 Claims and Answers are to be filed with the Clerk, United States District Court for the  
 16 District of Southern California, with a copy thereof sent to Assistant United States Attorney  
 17 Stewart M. Young at 880 Front Street, Room 6293, San Diego CA 92101-8893. If you fail to do  
 18 so, judgment by default will be taken against you for the relief demanded in the complaint.

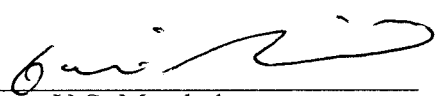
19 Additional procedures and regulations regarding this forfeiture action are found at 19  
 20 U.S.C. §1602-1619, 28 C.F.R. § 9, and 18 U.S.C. § 985.

21 In accordance with 18 U.S.C. § 985, this Notice shall be posted on the defendant property  
 22 and served on the property owner, along with a copy of the Complaint for Forfeiture.

23 DATED: 6/27/08

24 U.S. MARSHALS SERVICE

25  
 26 (SEAL)

27 By   
 U.S. Marshal  
 28 Eric Smith